

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Kazutoyo MAEHIRO
Appln. No. : 09/820,554
Filed : March 29, 2001
For : MEMBERSHIP INFORMATION RETRIEVAL SERVER, USER
TERMINAL, MESSAGE - SENDING TERMINAL, AND
METHOD FOR RETRIEVING MEMBERSHIP INFORMATION
AND FOR SENDING MESSAGE

Group Art Unit: 2161
Examiner: Susan Y. Chen
Confirmation No.:4973

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Appeal Brief
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir :

In Response to the Notification of Non-Compliant Appeal Brief dated December 7, 2006, in which a one month period for reply was set to expire on January 8, 2007 (January 7, 2007 falling on a Sunday), Applicant requests reconsideration and withdrawal of the Notification of Non-Compliant Appeal Brief and entry of the Appeal Brief filed on October 13, 2006, in view of the herein-contained remarks.

In this regard, the above-noted Notification of Non-Compliant Appeal Brief asserted that for "each of dependent claims argued separately... applicant is required to provide a concise mapping of the claimed subject matters that refers to the specification by page and

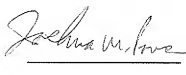
P23935.A13

line number and to the drawings, if any". The above-noted assertion is incorrect, as such concise mapping is required under 37 C.F.R. 41.37(c)(1)(c)) only for "each dependent claim argued separately, *every means plus function and step plus function*" (emphasis added) recitation under 35 U.S.C. §112, sixth paragraph.

Applicants' representative, Joshua M. Povsner, confirmed the above with Supervisory Patent Examiner Gaffin in a telephone conference on December 12, 2006, and Supervisory Patent Examiner Gaffin instructed Applicants' representative to submit this paper and the herein-contained remarks as a Response to the above-noted Notification of Non-Compliant Appeal Brief. That is, Supervisory Patent Examiner Gaffin indicated that the above-noted Notification of Non-Compliant Appeal Brief would be withdrawn insofar as the noted dependent claims do not recite means plus function and/or step plus function recitations.

If there are any questions about this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,
Kazutoyo MAEHIRO

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December 20, 2006
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